

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

United States of America
Plaintiff

Criminal No. 21-393 (PAD)

Vs.

Hipolito Larregui-Santiago [1]
Defendant

MOTION IN COMPLIANCE AND TO REOPEN BAIL HEARING

The Honorable Court:

NOW COMES Defendant, Hipolito Larregui-Santiago, by way of the undersigned attorney who respectfully states and prays as follows:

1. On January 20, 2022 Mr. Larregui sent a pro se motion to the Court in reference to his health concerns and issues and the poor medical treatment received at MDC Guaynabo. See ECF No. 36.
2. The Court instructed undersigned to respond to said letter by today. See ECF No. 37.
3. On January 20 we sent an email to MDC Guaynabo's legal department following up on Mr. Larregui's health concerns as we received 2 letters from defendant and a phone call from a family member stating his serious conditions.
4. On Monday January 24 we received the following answer:

"Inmate Larregui-Santiago, Hipolito #69786-509 has been evaluated at HIMA Cupey on 01/10/2022 by specialist (podiatrist) for the possibility of admission in

the wound care specialized unit. After evaluation, specialist referred there was no need for hospitalization because he has received proper care at the institution. Recommended outpatient follow up with specialist (podiatrist) for continuation of care. Consult has already been scheduled for _____. (date cannot be provided due to security concerns).

It is important to say that this inmate has NOT been compliant with his treatment (specially insulin) which he refuses constantly or diet. He has been counseled on multiple occasions on the consequences of not following recommended treatment."

5. Mr. Larregui continues calling and writing undersigned that his health issues are not being addressed appropriately by MDC Guaynabo.
6. Mr. Larregui is on a wheelchair and living in a second floor where they do not have bathrooms or showers for disabled individuals, his ulcer is not being cured daily as expected and instructed by the physician, he is not receiving any pills or treatment for his heart condition. He is extremely worried that because of MDC Guaynabo's horrible medical treatment one of his toes might be amputated as his right foot toe has a severe infection.
7. This nonviolent offender on bail will be able to receive the appropriate medical treatment for his conditions and cure his foot ulcer and infections.
8. If release on bail and the Court eventually sentences Mr. Larregui to serve any term of imprisonment by then his urgent medical conditions would be resolved and he could go back to a BOP Institution or BOP medical facility without the fear of losing a limb or his life.

9. On October 19, 2021 MJ Marshal Morgan denied Mr. Larregui bail as he understood defendant was a risk of flight and danger to the community.
10. Mr. Larregui's medical issues and conditions have deteriorated while detained, having his conditions changed from those expressed to the Court in October 2021 we understand the reopening of the bail hearing is appropriate.

Proposed Release Conditions

Mr. Larregui proposes the following conditions, and /or combination of conditions that can reasonably assure the safety of the community and his future court appearances:

1. Mr. Larregui will reside with his partner, Tina Pedraza and in laws in Arecibo Puerto Rico.
2. If needed Ms. Pedraza will agree to assume a third-party custodianship over Mr. Larregui. She will be home with the defendant at virtually all times and will agree to notify the appropriate parties should she observe any violation of any condition of release.
3. Mr. Larregui also offers the possibility of electronic monitoring as the residence he proposed to live in has a telephone landline.
4. Any violation of conditions of release will result in the forfeiture of an unsecured bond set by the Court.

5. Any other condition or combination of conditions that the Court or Pretrial Services deem necessary.

WHEREFORE, it is respectfully requested that this Honorable Court to take notice of the above, grant the instant motion and as a consequence Mr. Larregui be granted pretrial release to better treat his medical conditions while on the pretrial stage, subject to any and all of the proposed conditions or any other conditions the Court may deem necessary.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date and by electronic CM/EC filing system, copy of this Notice has been sent to the U.S. Attorney's Office and all others registered to receive notification by electronic mail.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico on this 2nd day of February 2022.

/S/ Miguel Oppenheimer
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